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8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
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11 GREGORY CHAMBERS,

12 Plaintiff,

13 vs.

14 PABCO, LLC,

15 Defendant.
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No. C07-03119 MHP

**DEFENDANT'S CERTIFICATION OF
NON-PARTY INTERESTED
ENTITIES OR PERSONS**

17 Pursuant to Civil L.R. 3-16, the undersigned certifies that the following listed persons,
18 associations of persons, firms, partnerships, corporations (including parent corporations) or other
19 entities (i) have a financial interest in the subject matter in controversy or in a party to the
20 proceeding, or (ii) have a non-financial interest in that subject matter or in a party that could be
21 substantially affected by the outcome of this proceeding:

22 1. Defendant believes that International Longshore and Warehouse Union Local 6
23 ("the Union") has an interest in the subject matter in controversy because, in order to prevail on
24 Plaintiff's "hybrid" breach of contract/duty of fair representation cause of action alleging that he
25 was wrongfully terminated in breach of Defendant's collective bargaining agreement with the
26 Union, the Plaintiff must first prove that the Union breached its duty of fair representation to
27 Plaintiff by refusing to further process his grievance protesting his suspension and termination for
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1 arbitrary or discriminatory reasons or in bad faith. See, Vaca v. Sipes, 386 U.S. 171, 186, 191
2 (1967), and Hines v. Anchor Motor Freight, Inc., 424 U.S. 554 (1976).

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4 Dated: October 12, 2007.

DAVENPORT GERSTNER & McCLURE

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6 /s/

STEPHEN THOMAS DAVENPORT, JR.

Attorneys for Defendant,

PABCO BUILDING PRODUCTS, LLC